



**REGISTER NOTICE  
SAN #2013-31**

**1. TITLE OF THE REGULATIONS:**

Revision to Section 36 "Stage II Vapor Recovery" of 7 DE Admin. Code 1124 "Control of Volatile Organic Compound Emissions."

**2. BRIEF SYNOPSIS OF THE SUBJECT, SUBSTANCE AND ISSUES:**

Gasoline vapors contribute to the formation of ground-level ozone pollution, and include hazardous air pollutants. Delaware has implemented, since 1993, Stage II vapor recovery requirements to control gasoline vapor emissions from motor vehicle fueling at gasoline dispensing facilities. In addition, since 1998, automobile manufacturers have been required by the federal clean air act to install on-board refueling vapor recovery (ORVR) systems on new motor vehicles. Now that a large percentage of vehicles on Delaware roads are equipped with ORVR systems DNREC is proposing a regulation revision to begin the phase out of Stage II vapor recovery in Delaware.

DNREC is proposing to revise Section 36 of 7 DE Admin. Code 1124 to allow new or modified gasoline stations the option to not install Stage II vapor recovery systems, and to instead install an enhanced Stage I vapor recovery system, and to either 1) conduct enhanced monthly inspections and pressure decay leak testing or, 2) participate in a 1-year trial to demonstrate whether or not a continuous pressure monitoring (CPM) system is able to accurately identify system leaks and times when emissions are being vented from the pressure/vacuum valve. DNREC plans to revise this regulation again in the future based on the data obtained from the trial tests.

**3. POSSIBLE TERMS OF THE AGENCY ACTION:** None.

**4. STATUTORY BASIS OR LEGAL AUTHORITY TO ACT:**

7 Del. C., Chapter 60, Environmental Control

**5. OTHER REGULATIONS THAT MAY BE AFFECTED BY THE PROPOSAL:** None

**6. NOTICE OF PUBLIC COMMENT:**

A public hearing will be held on June 25, 2015, beginning at 6:00 pm, in DNREC Auditorium, 89 Kings Highway, Dover, DE 19901.

**7. PREPARED BY:**

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